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Attorney Docket No. DEXNON/109/PC/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of
Bernth Lorentz NYBERG and Bengt Johan PERSSON

PCT International Application No. PCT/GB00/02832

Examiner: TBD

Int'l Filing Date: 21/JULY/2000

Group Art Unit: TBD

For: POLYMER COATED WEB WITH GOOD WATER
VAPOUR PERMEABILITY

Commissioner For Patents
Washington, DC 20231

Sir:

PRELIMINARY AMENDMENT

Applicant respectfully requests entry of the following Amendment to the above referenced application, as previously amended by the Reply to Written Opinion filed on August 16, 2001, prior to calculation of the filing fee and prior to examination.

AMENDMENT

A clean version of the amendment is attached as separate pages to this Preliminary Amendment.

Please amend the specification as follows:

Page 1, insert the following as the first paragraph after the title:

--The present application is the U.S. National Phase of PCT International Application No. PCT/GB00/02832 filed July 21, 2000 which claims the benefit of EP Application No. 99305768.6 filed July 21, 1999.--

Please amend the claims as follows:

1. (Amended) A composite material for use as a base in a wallcovering, [which composite material comprises] comprising a substrate layer that is permeable to water vapour and a coating layer that is permeable to water vapour such that the composite material has a water vapour transmission rate of at least 30 g/m² 24 h at 25°C/75% RH, [characterized in that] wherein the coating layer comprises a plastics material, which plastics material consists essentially of a copolymer of an olefin and [an alkyl acrylate or methacrylate or a mixture of two or more such copolymers,] a member selected from alkyl acrylate, alkyl methacrylate and mixtures thereof the [said] plastics material having particles of filler distributed therein, and [in that] the substrate layer comprises a nonwoven material that comprises cellulose fibers.

4. (Amended) A composite material according to claim 1, [2 or 3,] in which the nonwoven material also comprises synthetic fibers.

6. (Amended) A composite material according to claim 4 [or 5], in which the synthetic fibers have a fiber length of 5 to 20 mm and a linear density of 1 to 6 denier (0.11 to 0.67 tex).

7. (Amended) A composite material according to [any of claims] claim 1 [to 6], in which the nonwoven material is bonded with a resin binder.

8. (Amended) A composite material according to claim 7, in which the resin binder is an acrylic resin or vinyl acetate resin.

9. (Amended) A composite material according to [any of claims] claim 1 [to 8], in which the nonwoven material comprises an opacity-increasing filler.

11. (Amended) A composite material according to [any of claims] claim 1 [to 10], in which the substrate layer has a basis weight of from 30 to 200 g/m² and the coating layer has a basis weight of from 10 to 50g/m².

12. (Amended) A composite material according to [any of claims] claim 1 [to 11], in which the plastics material has a water vapour transmission rate of at least 14 g/m² 24 h at 25°C/75% RH, measured on the unfilled plastics material at a mass per unit area of 45 g/m².

13. (Amended) A composite material according to [any of claims] claim 1 [to 12] in which the plastics material comprises a copolymer of a C₂ – C₄ olefin and at least one of a C₁ – C₄ alkyl acrylate or a C₁ – C₄ alkyl methacrylate.

15. (Amended) A composite material according to [any of claims] claim 1 [to 14] in which the filler is present in the coating layer in an amount of up to 40% by weight of the filled plastics material in the coating layer.

16. (Amended) A composite material according to [any of claims] claim 1 [to 15], in which the filler in the plastics material [is] comprises a mineral filler[, e.g. calcium carbonate or a mixture of calcium carbonate and titanium dioxide].

17. (Amended) A composite material according to [any of claims] claim 1 [to 16], in which the coating layer has a thickness in the range of from 10 to 50 μm and the substrate layer has a thickness in the range of from 80 to 500 μm .

18. (Amended) A composite material according to [any of claims] claim 1 [to 17], in which the coating layer [is embossed and/or printed] includes embossing, printing or combinations thereof to provide a decorative effect.

19. (Amended) A process for the production of a composite material that has a water vapour transmission rate of at least 30 g/m² 24 h at 25°C/75% RH and is suitable for use as a base in a wallcovering, which process comprises applying a coating formulation as a coating layer on a substrate layer, the coating layer and substrate layer being permeable to water vapour, [characterized in that] wherein the coating formulation comprises a plastics material that consists essentially of a copolymer of an olefin and [an alkyl acrylate or methacrylate or a mixture of two or more such copolymers] a member selected from alkyl acrylate, alkyl methacrylate and mixtures thereof and has particles of filler therein, and [in that] wherein the substrate layer comprises a nonwoven material that comprises cellulose fibers, and [in that] wherein

the composite material is not stretched by more than 3 percent in the machine direction and is not stretched by more than 3 percent in the cross direction.

20. (Amended) A process according to claim 19 for the production of a composite material according to [any of claims] claim 2 [to 17].

21. (Amended) A process according to claim 19 [or 20], in which the coating is effected by extrusion coating.

22. (Amended) A process according to claim 19, [20 or 21] in which the composite material is not stretched by more than 2 percent in the machine direction and is not stretched by more than 2 percent in the cross direction.

23. (Amended) A process according to claim 19, [20 or 21] in which the composite material is not stretched by more than 1 percent in the machine direction and is not stretched by more than 1 percent in the cross direction.

24. (Amended) A process according to [any of claims] claim 19 [to 23], in which the coating layer in the composite material [is embossed and/or printed] includes embossing, printing or combinations thereof to provide a decorative effect.

25. (Amended) The use as a wall covering of a composite material according to [any of claims] claim 1 [to 18 or a composite material produced by the process according to any of claims 19 to 24].

26. (Amended) A method of covering an area of wall surface that comprises applying to said area of wall surface a composite material according [to any of claims] claim 1 [to 18 or produced by a process according to any of claims 19 to 24].

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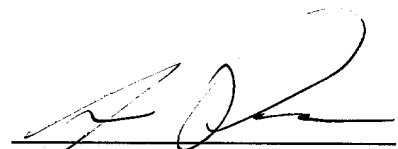
REMARKS

Claims 1, 4, 6-9, 11-13 and 15-26 have been amended to remove multiple dependencies and to better encompass the full scope and breadth of the invention notwithstanding Applicants' belief that the claims would have been allowable as pending. Accordingly, Applicants assert that the new claims do not constitute a narrowing within the meaning of Festo Corp. v Shoketsu Kinzoku Kogyo Kabushiki Co., 56 USPQ2d 1865 (Fed. Cir. 2000). The amendment is supported by the specification and adds no new matter.

Respectfully submitted,

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CLEAN COPY OF THE AMENDED PORTIONS OF THE APPLICATION

1. A composite material for use as a base in a wallcovering, comprising a substrate layer that is permeable to water vapour and a coating layer that is permeable to water vapour such that the composite material has a water vapour transmission rate of at least $30 \text{ g/m}^2 \text{ 24 h}$ at $25^\circ\text{C}/75\% \text{ RH}$, wherein the coating layer comprises a plastics material, which plastics material consists essentially of a copolymer of an olefin and a member selected from alkyl acrylate, alkyl methacrylate and mixtures thereof the plastics material having particles of filler distributed therein, and the substrate layer comprises a nonwoven material that comprises cellulose fibers.

4. A composite material according to claim 1, in which the nonwoven material also comprises synthetic fibers.

6. A composite material according to claim 4, in which the synthetic fibers have a fiber length of 5 to 20 mm and a linear density of 1 to 6 denier (0.11 to 0.67 tex).

7. A composite material according to claim 1, in which the nonwoven material is bonded with a resin binder.

8. A composite material according to claim 7, in which the resin binder is an acrylic resin or vinyl acetate resin.

9. A composite material according to claim 1, in which the nonwoven material comprises an opacity-increasing filler.

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11. A composite material according to claim 1, in which the substrate layer has a basis weight of from 30 to 200 g/m² and the coating layer has a basis weight of from 10 to 50g/m².

12. A composite material according to claim 1, in which the plastics material has a water vapour transmission rate of at least 14 g/m² 24 h at 25°C/75% RH, measured on the unfilled plastics material at a mass per unit area of 45 g/m².

13. A composite material according to claim 1 in which the plastics material comprises a copolymer of a C₂ – C₄ olefin and at least one of a C₁ – C₄ alkyl acrylate or a C₁ – C₄ alkyl methacrylate.

15. A composite material according to claim 1 in which the filler is present in the coating layer in an amount of up to 40% by weight of the filled plastics material in the coating layer.

16. A composite material according to claim 1 in which the filler in the plastics material comprises a mineral filler.

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17. A composite material according to claim 1, in which the coating layer has a thickness in the range of from 10 to 50 μm and the substrate layer has a thickness in the range of from 80 to 500 μm .

18. A composite material according to claim 1, in which the coating layer includes embossing, printing or combinations thereof to provide a decorative effect.

19. A process for the production of a composite material that has a water vapour transmission rate of at least 30 g/m^2 24 h at 25°C/75% RH and is suitable for use as a base in a wallcovering, which process comprises applying a coating formulation as a coating layer on a substrate layer, the coating layer and substrate layer being permeable to water vapour, wherein the coating formulation comprises a plastics material that consists essentially of a copolymer of an olefin and a member selected from alkyl acrylate, alkyl methacrylate and mixtures thereof and has particles of filler therein, and wherein the substrate layer comprises a nonwoven material that comprises cellulose fibers, and wherein the composite material is not stretched by more than 3 percent in the machine direction and is not stretched by more than 3 percent in the cross direction.

20. A process according to claim 19 for the production of a composite material according to claim 2.

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21. A process according to claim 19, in which the coating is effected by extrusion coating.

22. A process according to claim 19, in which the composite material is not stretched by more than 2 percent in the machine direction and is not stretched by more than 2 percent in the cross direction.

23. A process according to claim 19, in which the composite material is not stretched by more than 1 percent in the machine direction and is not stretched by more than 1 percent in the cross direction.

24. A process according to claim 19, in which the coating layer in the composite material includes embossing, printing or combinations thereof to provide a decorative effect.

25. The use as a wall covering of a composite material according to claim 1.

26. A method of covering an area of wall surface that comprises applying to said area of wall surface a composite material according claim 1.